



Entered on Docket
November 05, 2009

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES
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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

John T. Luciano and Margaret R. Luciano

Debtors.

BK-S-09-20966-bam

MS Motion No.
Date: September 29, 2009
Time: 1:30 p.m.

Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the
2 post-petition arrearages currently due as follows:

3	2 Monthly Payments(s) at \$937.99	\$1,875.98
4	(August 1, 2009 - September 1, 2009)	
5	2 Late Charge(s) at \$29.61	\$59.22
6	(August 1, 2009 - September 1, 2009)	
7	Motion for Relief Filing Fee	\$150.00
8	Attorneys Fees	\$750.00
9	Suspense Amount	(-\$931.45)
10	Total	\$1,903.75

11 The above arrearage shall be paid in six (6) monthly installments of \$317.29 and (1) final
12 monthly installment of \$317.30. These payments shall be in addition to the regular monthly
13 payment and shall be due on or before the 20th day of the month commencing with the October
14 20, 2009 payment and continuing throughout and concluding on or before March 20, 2010.

15 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor
16 shall give Debtors at least five business days' notice of the time, place and date of sale.

17 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume
18 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,
19 beginning with the October 1, 2009, payment, on Secured Creditor's Trust obligation,
20 encumbering the subject Property, generally described as 201 Moose Ln. , Las Vegas, NV 89145,
21 and legally described as follows:

22 LOT ONE HUNDRED FIVE (105) IN BLOCK THREE (3) OF WILLOWCREST UNIT
23 2, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 30, OF PLATS, PAGE
24 27, AND AS AMENDED BY CERTIFICATE OF AMENDMENT RECORDED
25 .NOVEMBER. 3, 1983 IN BOOK 1828 'AS DOCUMENT NO, 1787669 OF OFFICIAL
26 RECORDS. IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY.
NEVADA.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make
any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured
Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file
and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of
Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an
attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth
(16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this

1 Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may
2 thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable
3 State Law, and take any action necessary to obtain complete possession thereof.

4
5 Submitted by:

6 WILDE & ASSOCIATES

7
8 By

9 **GREGORY L. WILDE, ESQ.**
10 Attorneys for Secured Creditor
11 208 South Jones Boulevard
12 Las Vegas, Nevada 89107

13 APPROVED AS TO FORM & CONTENT:

14 Rick A. Yarnall

15 By *[Signature]* 10-28-09

16 Rick A. Yarnall
17 Chapter 13 Trustee
18 701 Bridger Avenue #820
19 Las Vegas, NV 89101

20 Anthony Deluca

21 By *[Signature]*

22 Anthony Deluca
23 Attorney for Debtors
24 5830 W. Flamingo Rd., #233
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